

# South Platte River Basin Task Force Presentation

*Jim Hall, Division 1  
Division Engineer*

*[jim.hall@state.co.us](mailto:jim.hall@state.co.us)*

*(970) 352-8712*

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# Definition of Terms

- Free River – the supply of water in the river exceeds the demand for water by all decreed water users
- Call – the demand for water by a user
- Valid Call – the determination by the Water Commissioner of the most junior right that may divert when the supply of water in the river is less than the demand on the river by all decreed water users (also known as “the Call”)

Note: These definitions are not found in statute, but are working definitions in Division 1. The primary statute that water administration occurs under is 37-92-502 C.R.S.

# How Does A Commissioner Set The Valid Call For A Portion Of The River?

- Determines river conditions (supply) from stream gaging stations
- Determines the demand (calls) by various water right holders from water user contacts
- Sets the valid call based on a comparison of river conditions (supply) and demand (calls) and knowledge of water gains or losses and water travel times between points on the river

# Conditions Commissioners Review Prior to Placing A Valid Call for a User

- User must be in priority
- Water diverted by user must be used in accordance with the decree terms and conditions
- Water cannot be wasted
- User must have an acceptable headgate and an accurate measuring device
- User must be taking all the water that is available at their headgate
- Must determine whether user will get the water they are calling for without setting a valid call
- Must determine whether user will get the water they are calling for by curtailing upstream junior rights

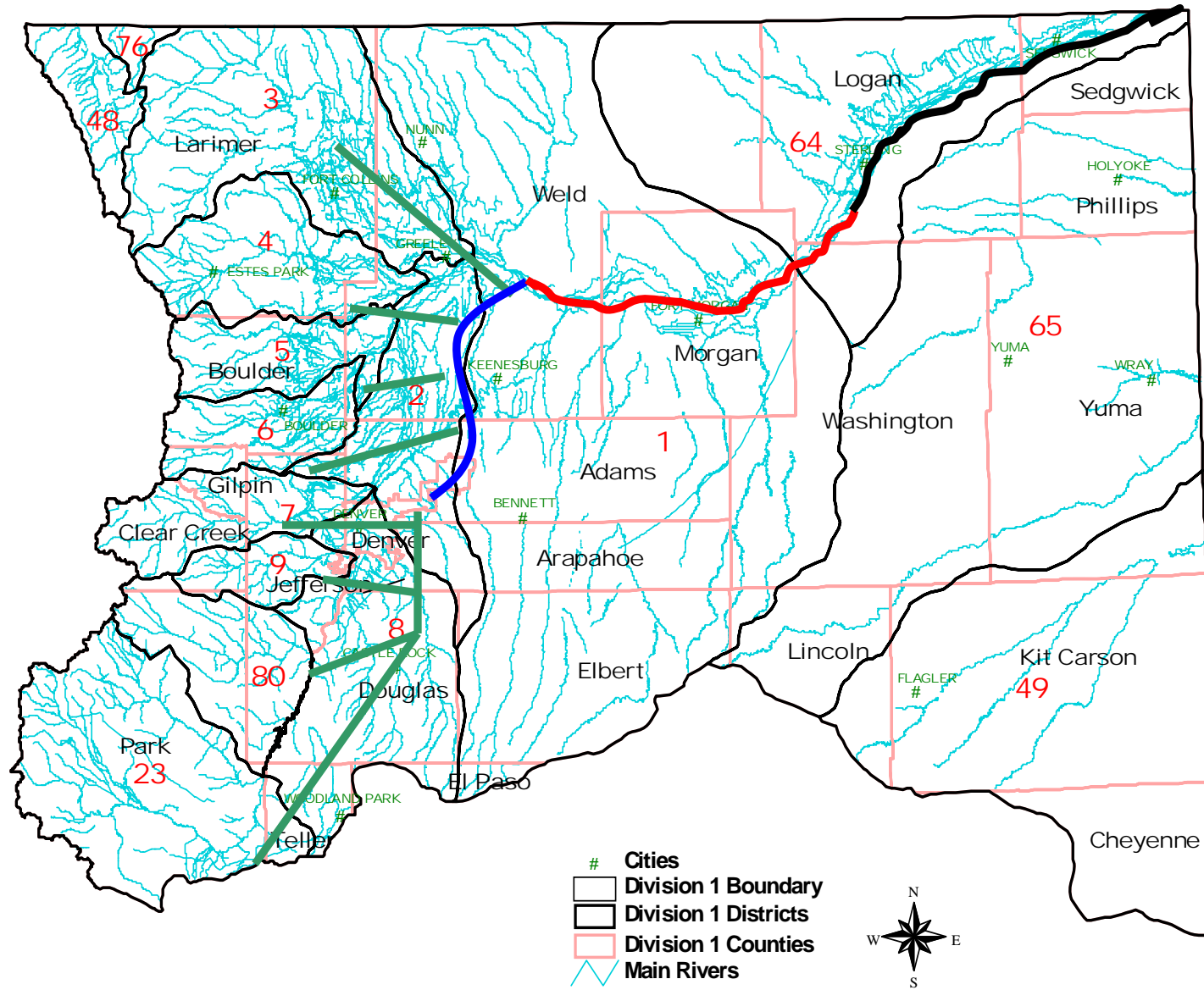
# Additional Comments

- In Division 1, almost all administration is done through verbal contact between the water user and water commissioner
- Written calls may be necessary if controversy exists
- Posting a headgate or a written order to a user may be necessary if a user is uncooperative in regulating their headgate

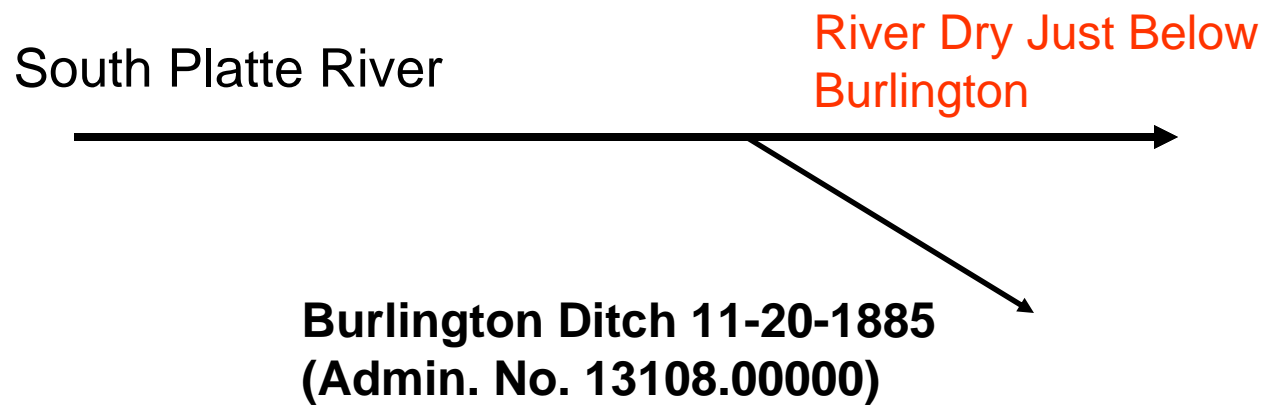
State of Colorado, Division of Water Resources, Division 1, South Platte River Drainage.

## Priority Dates Of Controlling Water Rights

- Early 1860's
- Late 1860's  
To Early 1870's
- Early 1880's
- Late 1880's  
To Mid-1890's

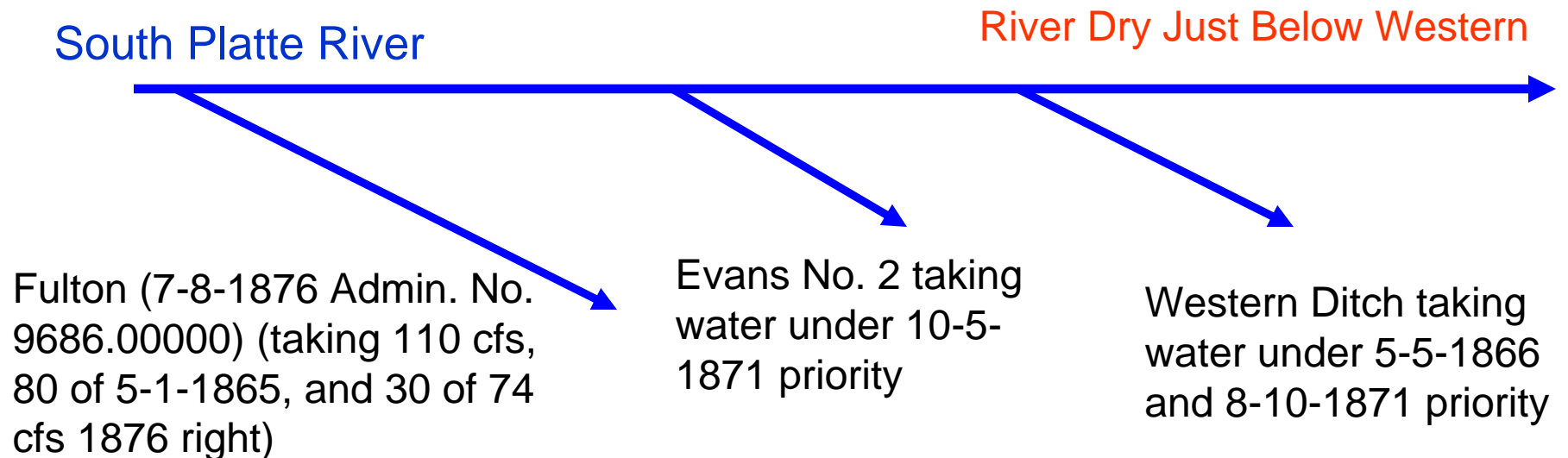


# Typical Call



# Typical Bypass Call

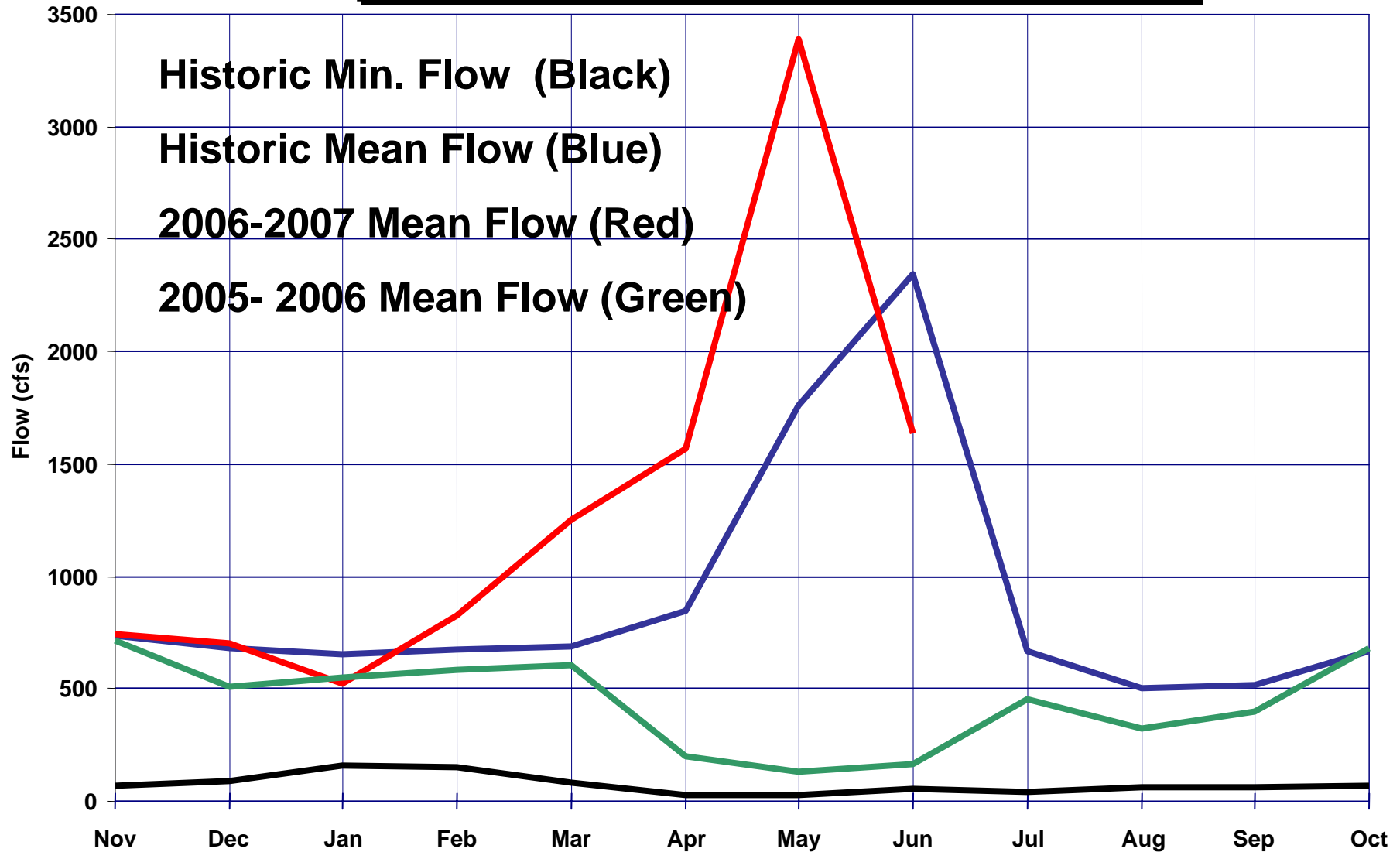
- 7-21-2007 Hewes Cook (Western) bypass call from Fulton Ditch (7-8-1876, Admin No. 9686)





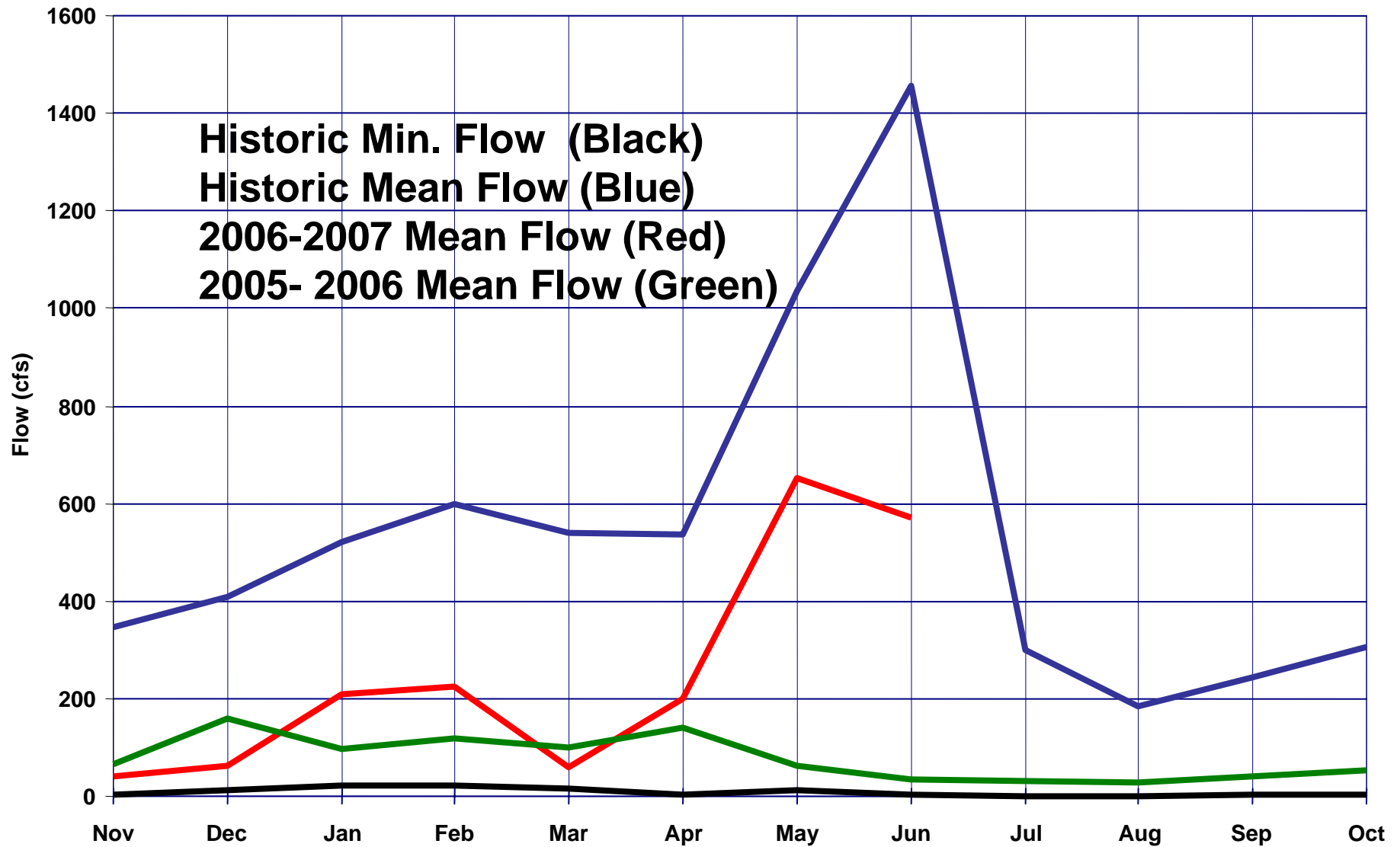
# South Platte River at Kersey

Irrigation Water Year



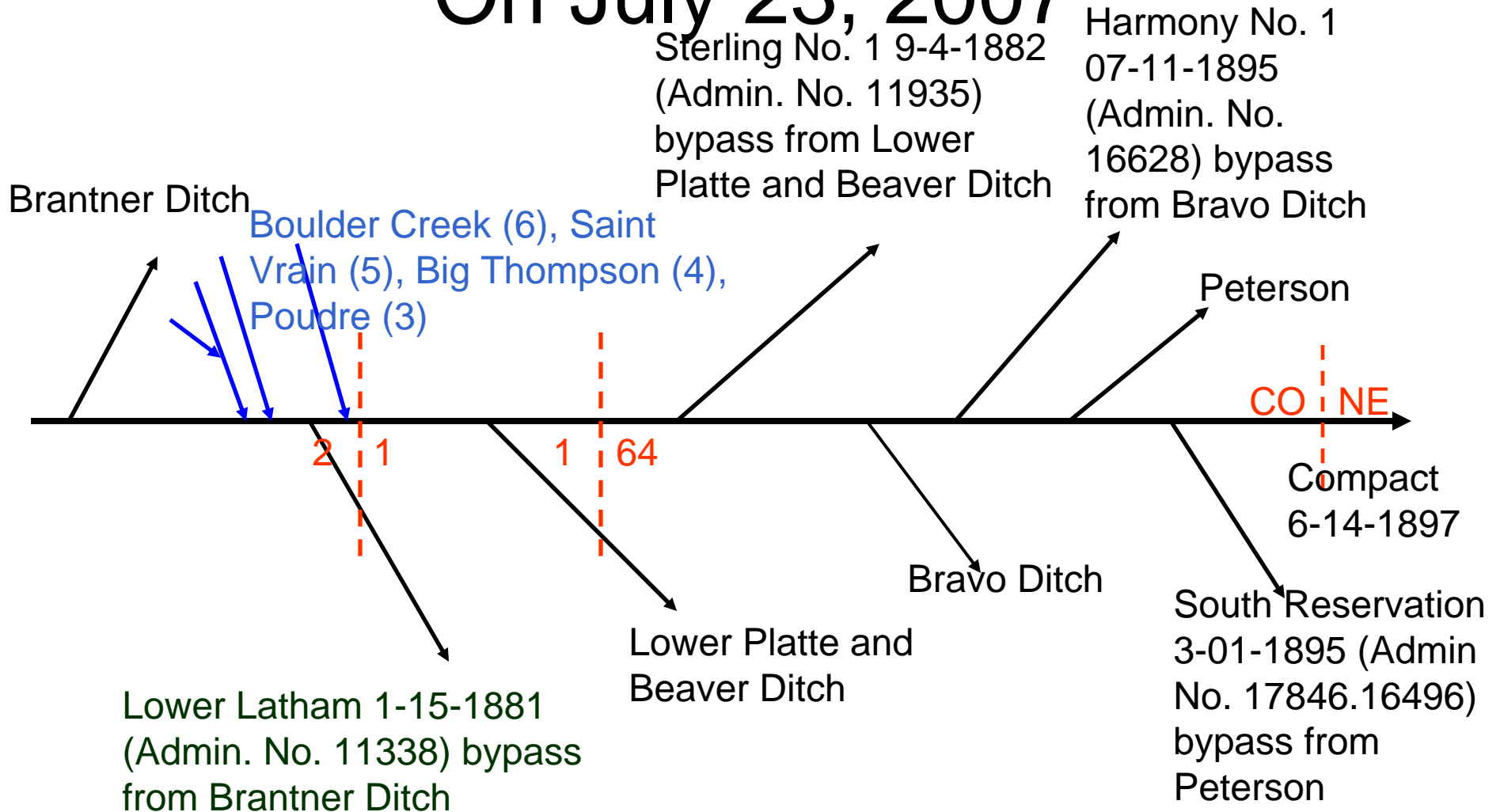
# South Platte River at Julesburg

Irrigation Water Year



# Mainstem South Platte River Calls

## On July 23, 2007

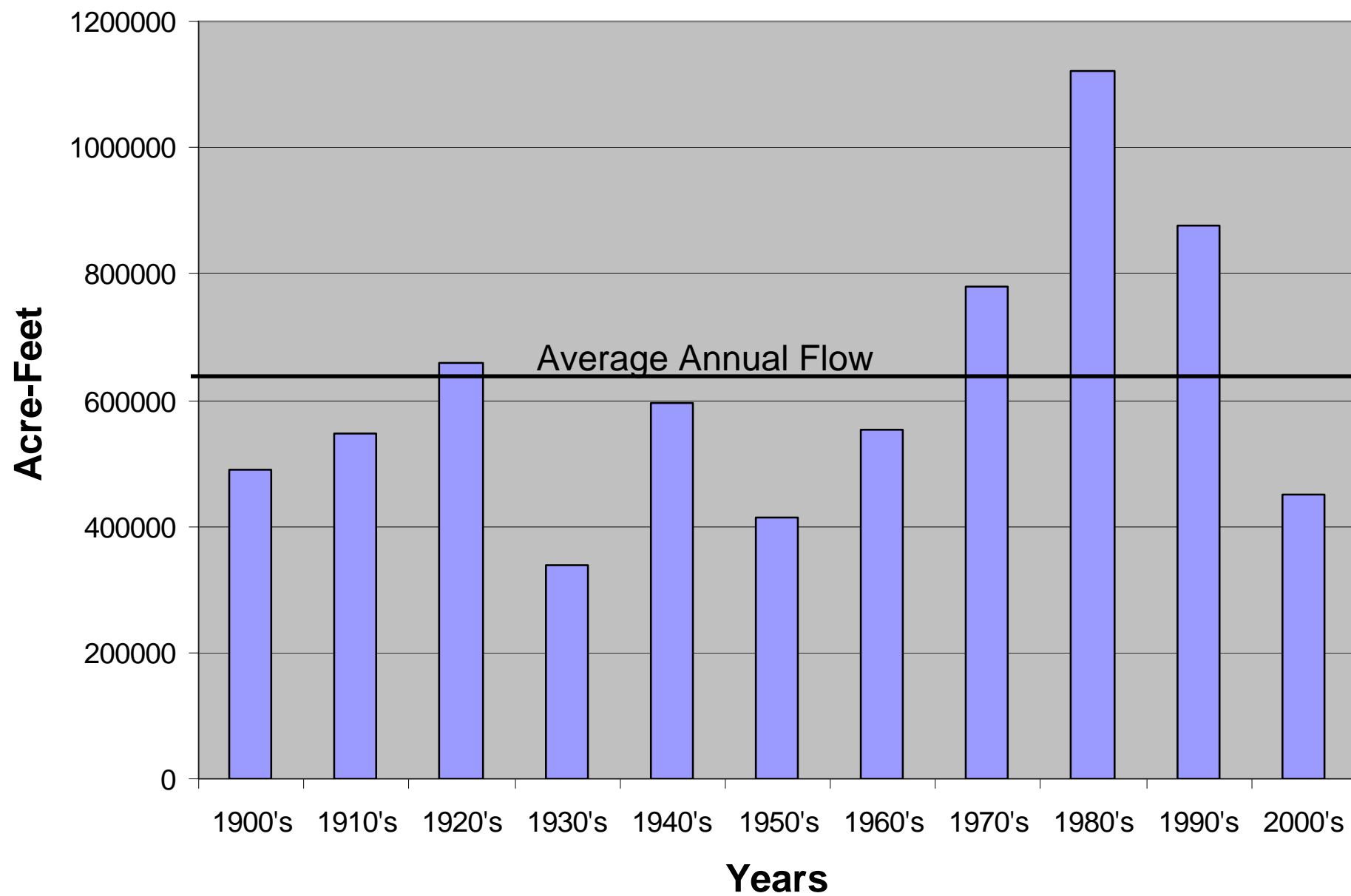


# Fields On Internet Site

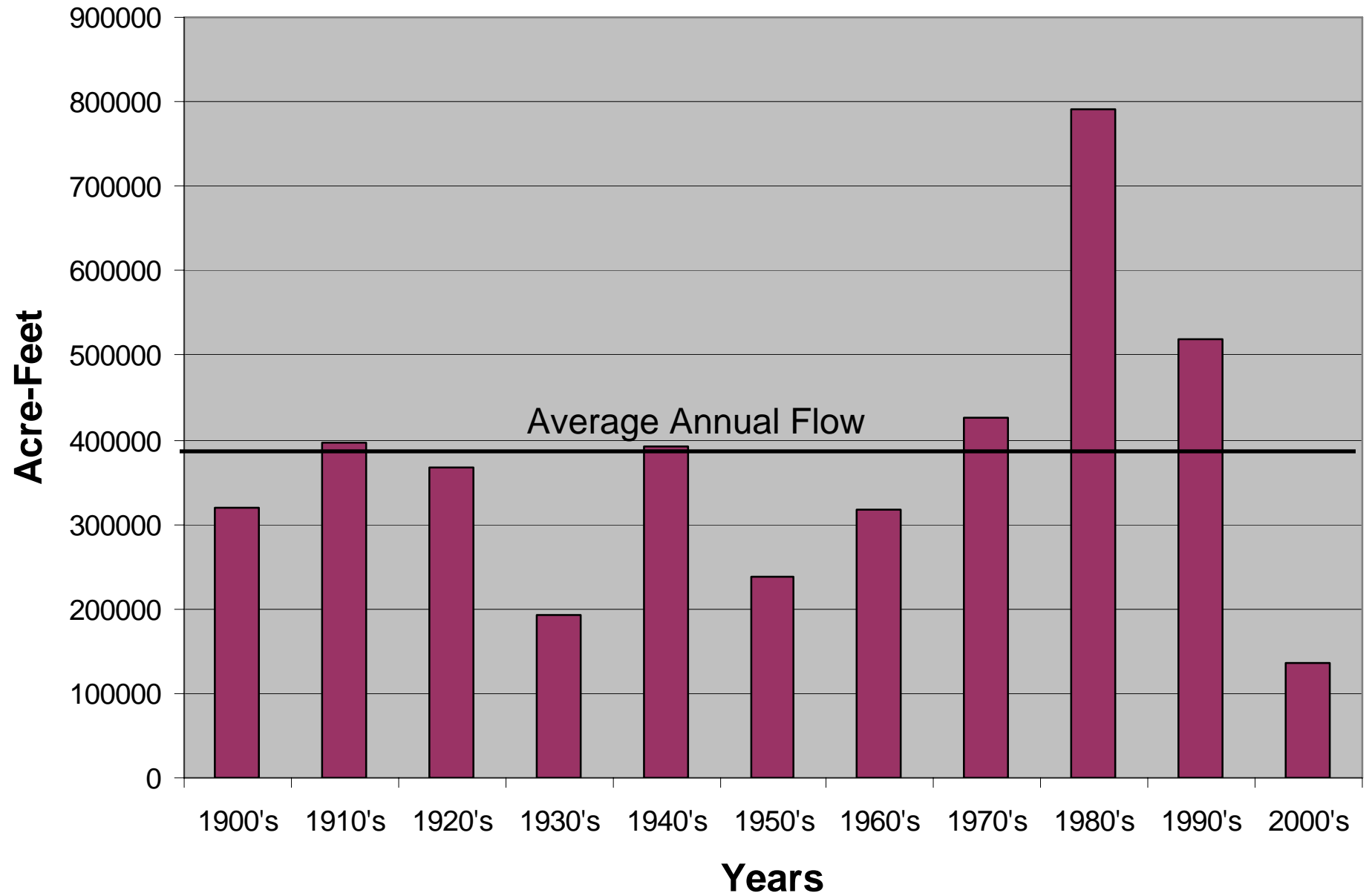
- Call Type - Mainstem
- Start Date - 2006-08-08 08:00
- End Date - Active
- Water Source - South Platte River
- WDID – 200826
- Structure Name – Jay Thomas Ditch
- Appro Date – 1876-07-08
- Admin No. – 9686.00000
- Decreed Amt – 74.25 cfs
- Districts Affected – 2, 7, 8, 9, 80, 23
- Comments: Bypass Call From 0200808 – Fulton Ditch

- Monthly Stream Flow and Reservoir Summary  
[http://www.water.state.co.us/pubs/S\\_Platte.asp](http://www.water.state.co.us/pubs/S_Platte.asp)
- Stream Flow Information  
<http://www.dwr.state.co.us/Surfacewater/default.aspx>
- Call Information  
<http://cdss.state.co.us/DNN/tabid/72/Default.aspx>

# Kersey Average Flows

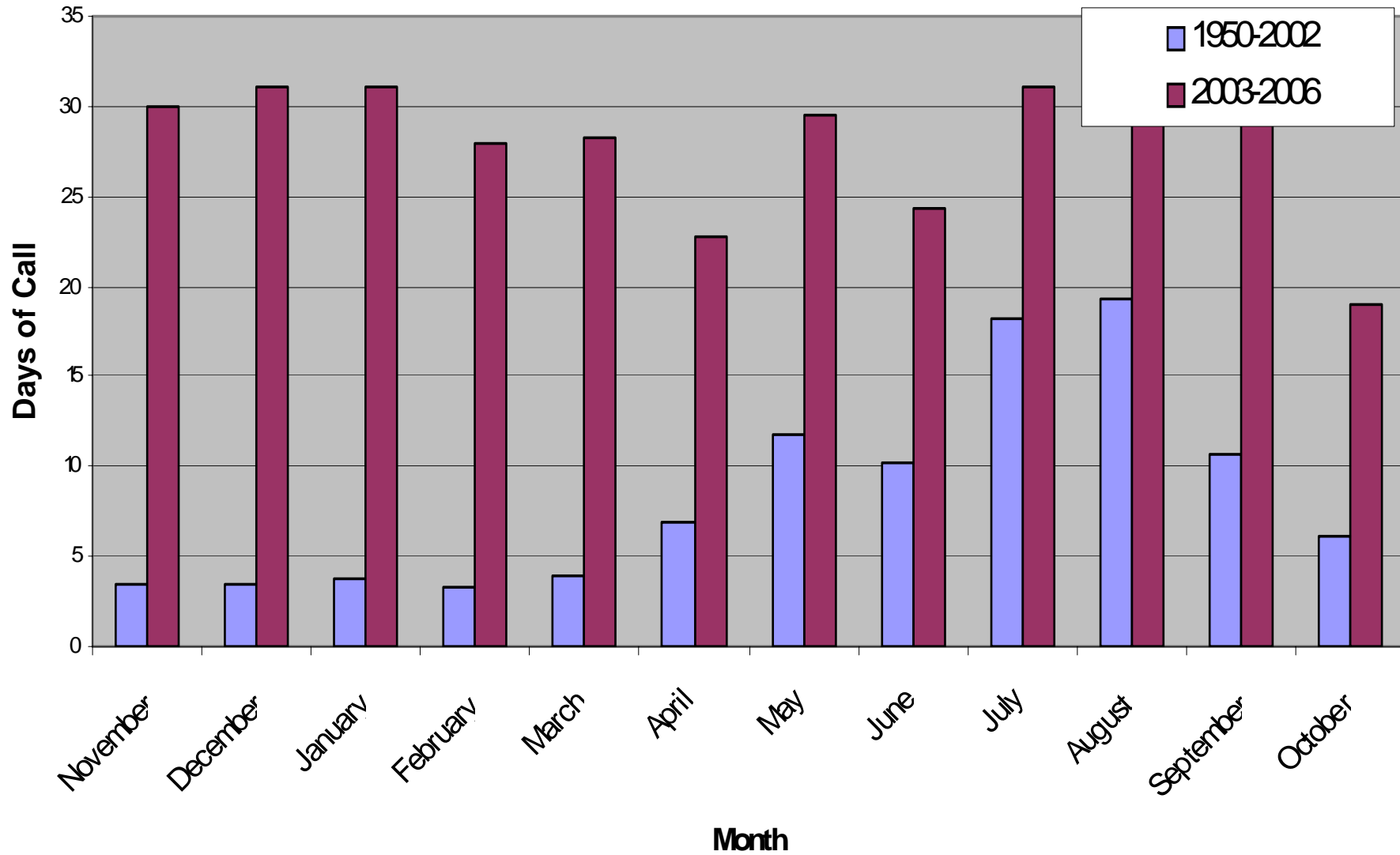


# Julesburg Average Flows



# Call Comparison

(District 1 Calls Senior to Administration No. 44698, 5-26-1972)

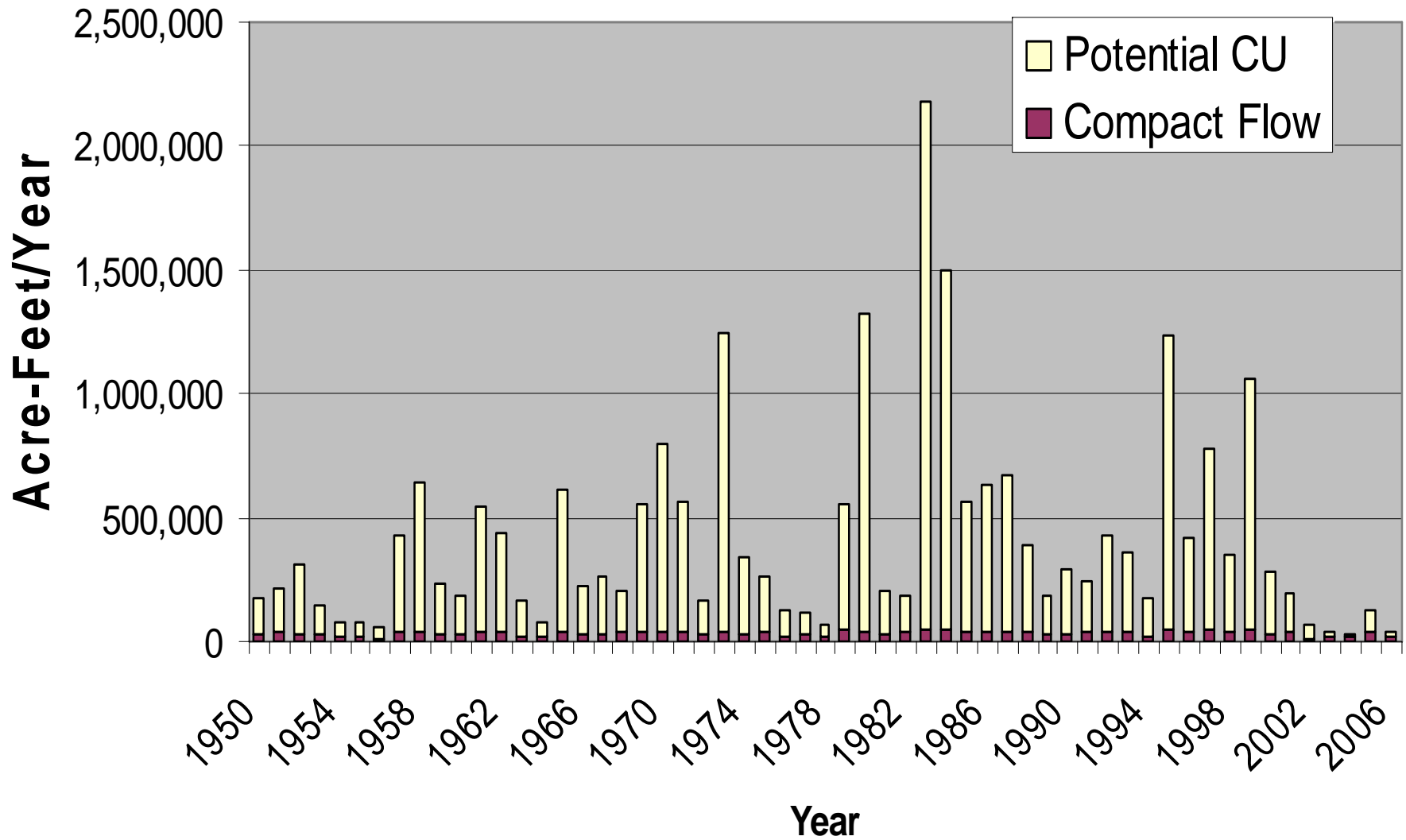




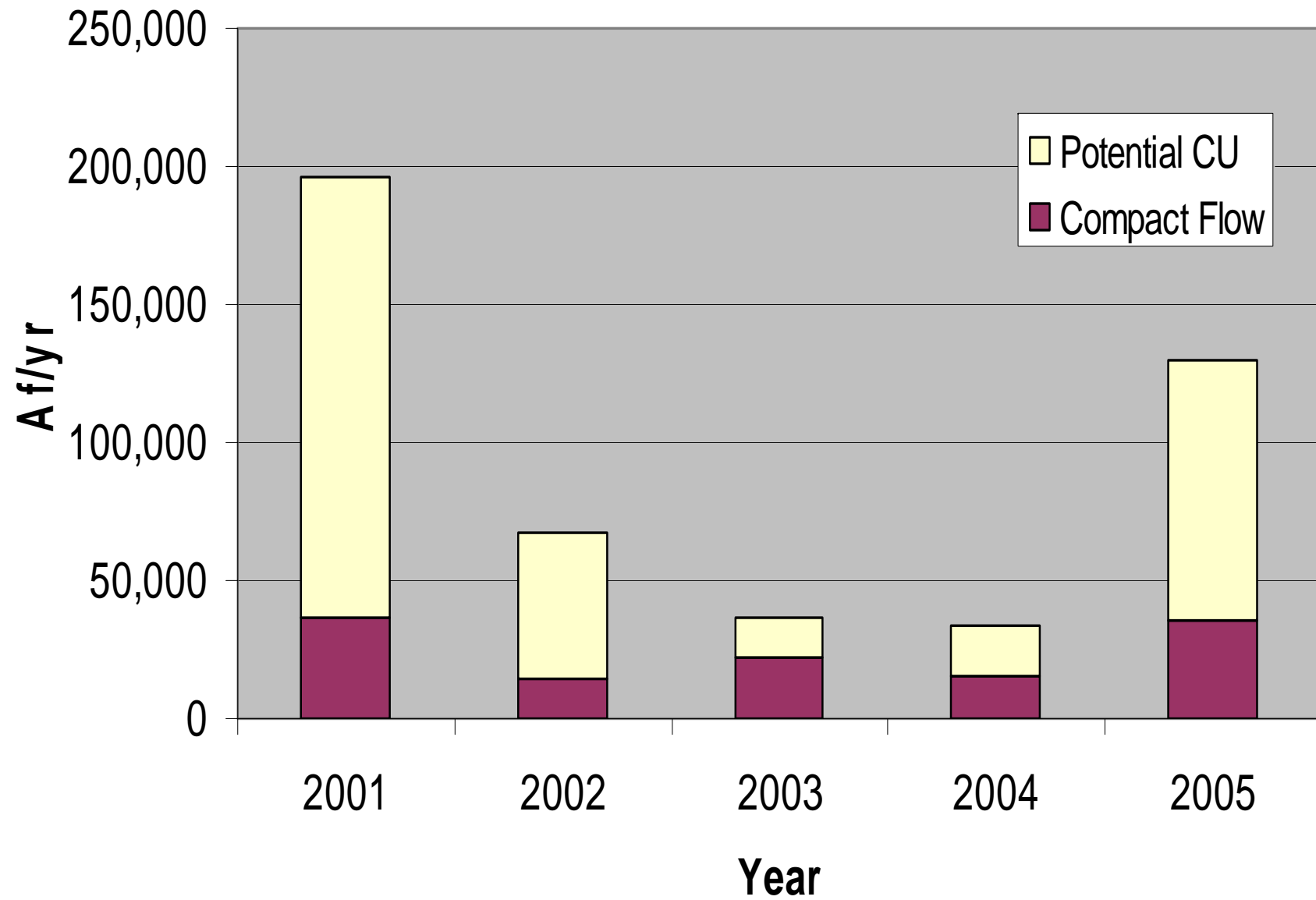
# Changes In Administration The Last Several Years

- Drier Conditions (Less water to lease or use)
- More Formal Administration (example: Non-Irrigation Season Administration Letter)
- The Supreme Court and Legislature clarified the State Engineer's authority concerning substitute water supply plans resulting in well user groups filing augmentation plans (Cannot use CBT in decreed plans and short term leases of water of questionable value)
- Calls on the South Platte for reservoir fills
- Earlier direct flow calls
- Increased use of the South Platte aquifer for retiming (recharge, augmentation wells, recharge wells)
- Continued change from flood to sprinkler reducing return flows
- Change In cropping patterns
- Additional reuse either through direct reuse or by exchange
- Continued transfer of agricultural water rights to municipal use

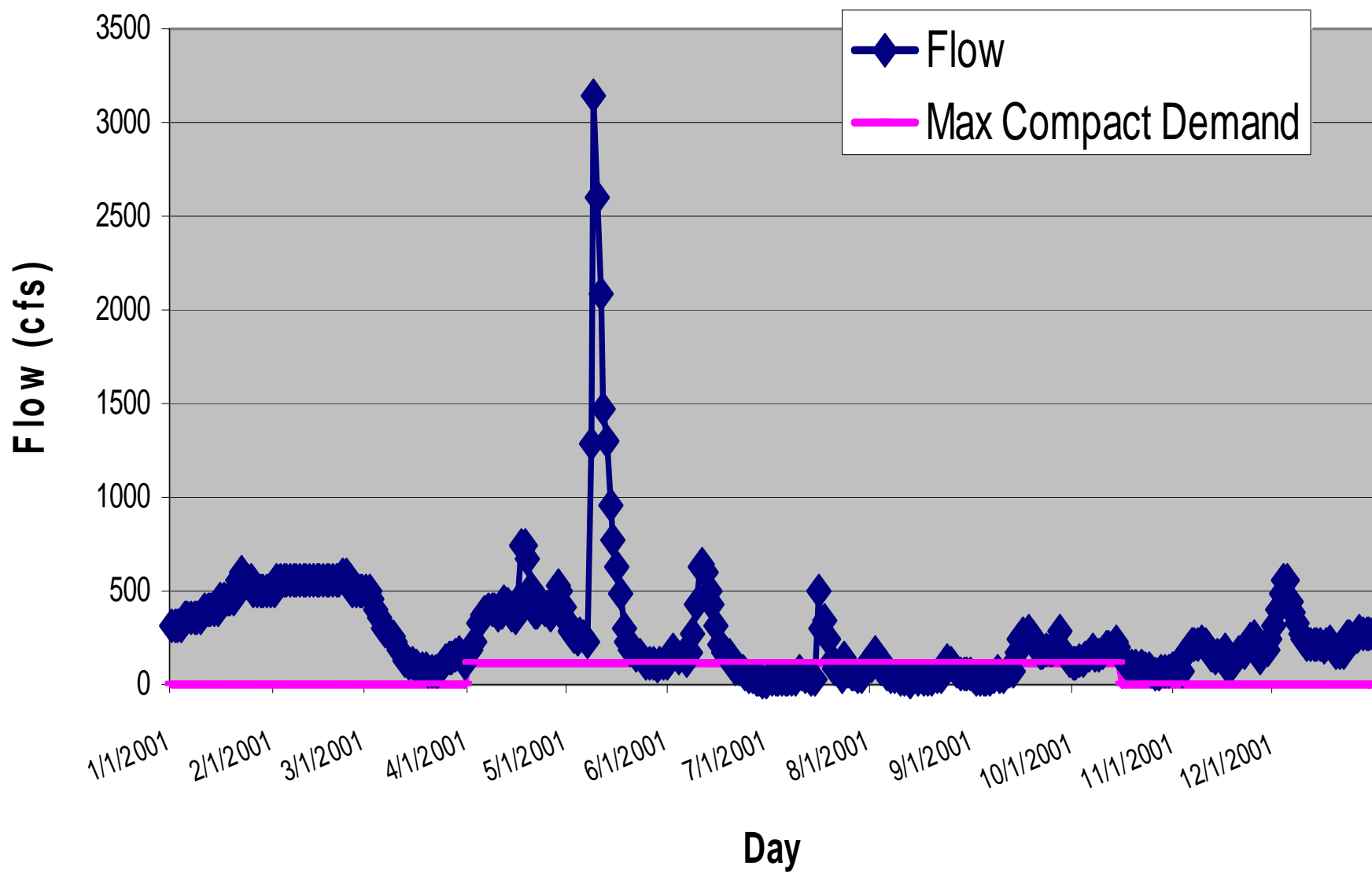
## Potential CU and Compact Flow 1950-2006



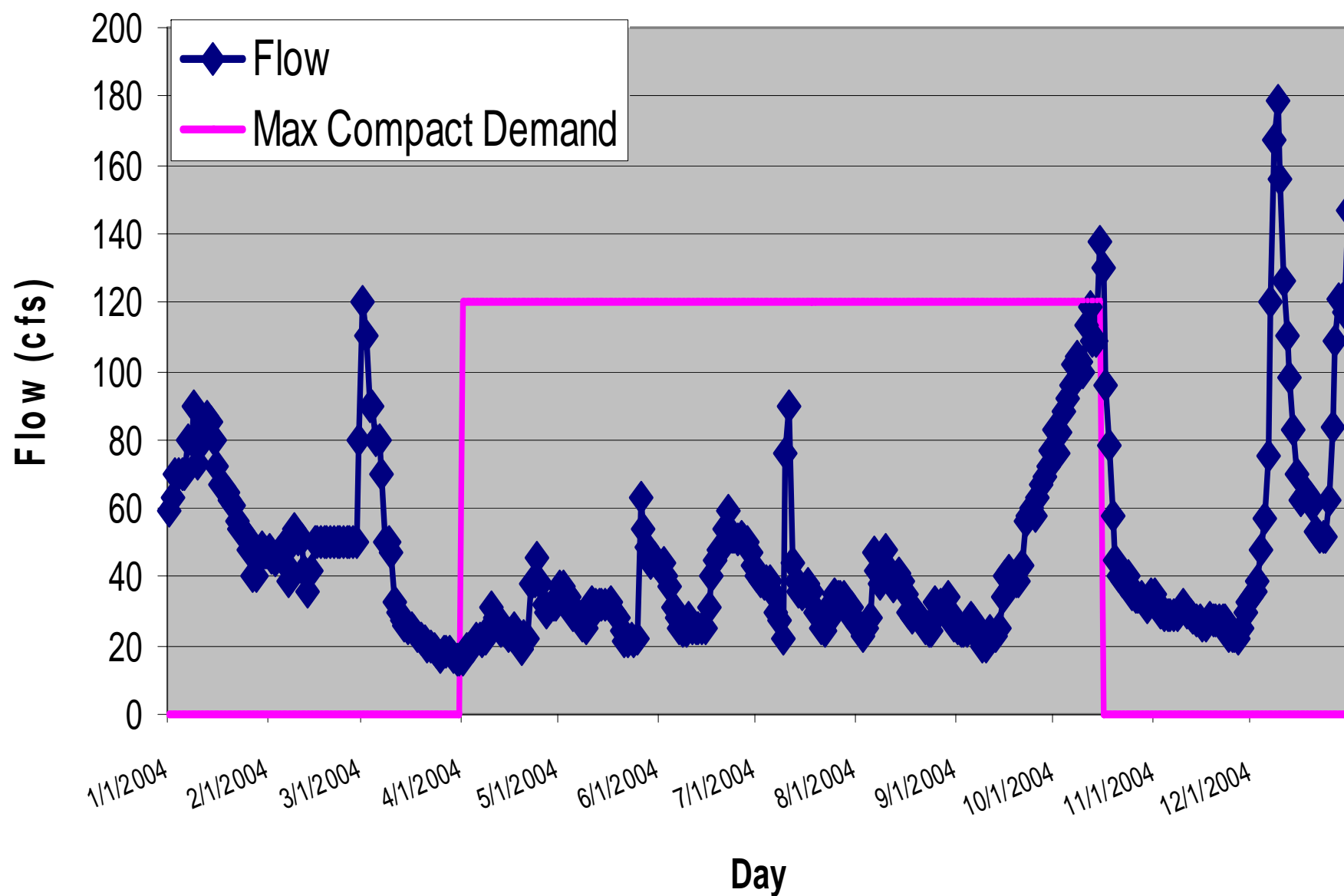
Potential CU and Compact Flow 2001-2006



## South Platte at Julesburg (2001)



## South Platte at Julesburg (2004)



# **Non-Irrigation Season Replacement for Depletions (Option 1, 2 & 3 to Current Administration Practice)**

- Option 1 – Well user group must make replacement for all well depletions during periods of call, but have the ability to delay this replacement or make this replacement early
- Option 2 - Well user groups must make replacement for all well depletions unless they pay the senior user not to fill a portion of their storage space
- Option 3 – Well user group only required to make replacement for well depletions if storage users senior to the wells do not fill

# Delayed Non-Irrigation Season Replacement (Option 1)

Month	Depletion	Replacement
November	20	0
December	20	0
January	20	0
February	20	0
March	20	100

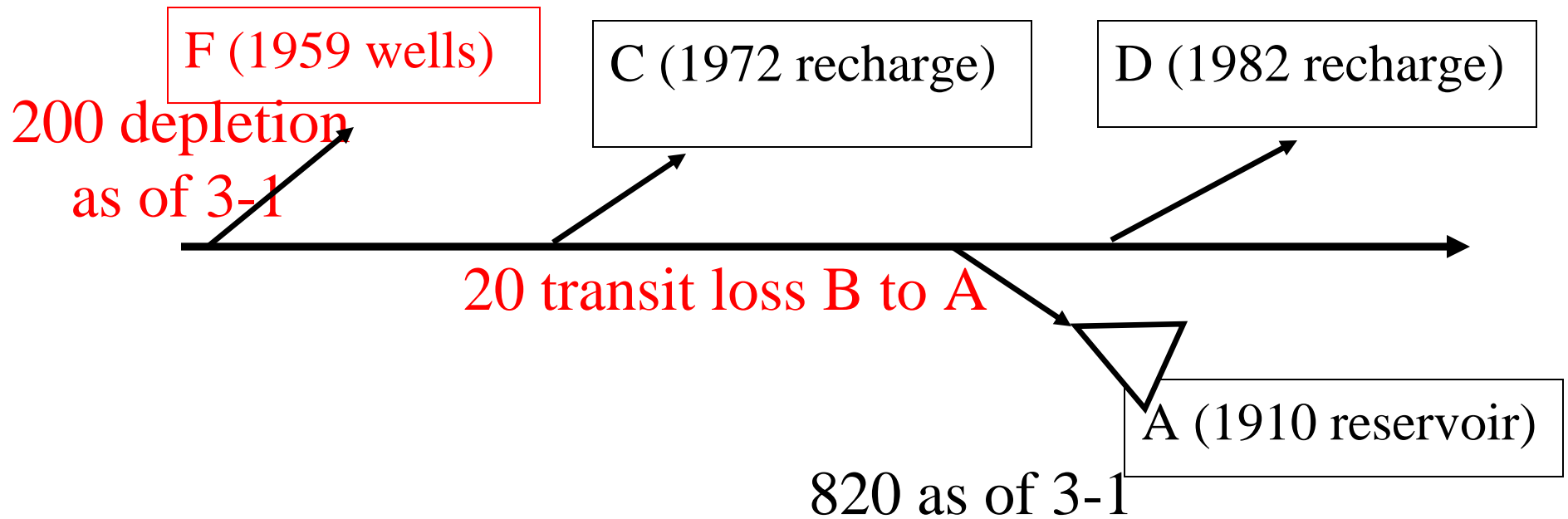
## Pay For Reservoir Impact (Option 2)

Month	Depletion	Replacement
November	20	0
December	20	0
January	20	0
February	20	0
March	20	0

Well user group pays reservoir user(s) impacted to not fill the space that would have otherwise been filled if depletion replacement were made.



# Replace If Necessary To Fill Senior Reservoir Right(s) (Option 3)

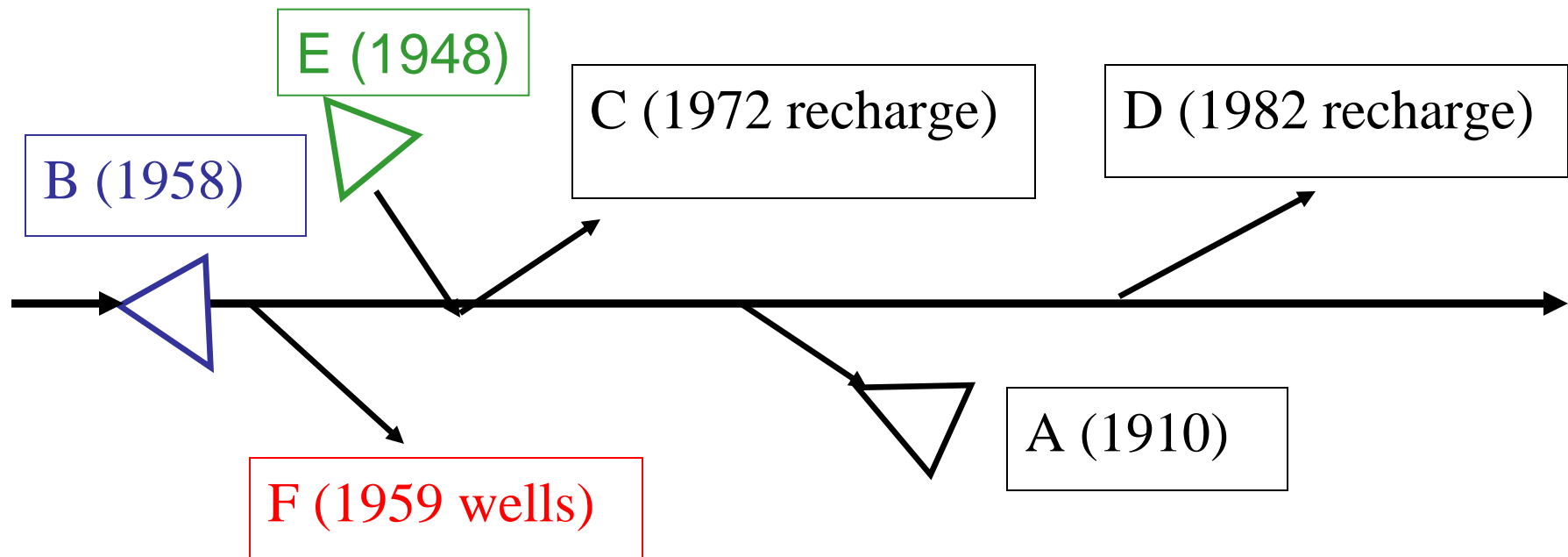


**A is deemed full**

1000 Capacity

If necessary, well user group F would replace up to 180 ac-ft at A if A does not physically fill

# Replace If Necessary To Fill Senior Reservoir Right(s) (Option 3)



**If A doesn't fill then wells F must replace first, then reservoir B release out of priority storage if necessary, then reservoir E release if necessary**

# Replace If Necessary To Fill Senior Reservoir Right(s) Considerations (Option 3)

- Responses sharply divergent as to whether delayed or non-replacement will cause injury
  - Do you need the agreement of the reservoir user that may paper filled?
  - Are there return flow changes that need to be taken into account?
  - Is the user capable of documenting the availability of replacement water?
- Option 3 has not been approved in any previously decreed augmentation plan cases
- Option 3 presented in Central WAS application trial. Will probably be at least initially decided by Judge Klein in ruling on this case
- If Option 3 is allowable, would treat similar to out-of-priority storage



***Questions?***

***Jim Hall***

***(970) 352-8712***

***[jim.hall@state.co.us](mailto:jim.hall@state.co.us)***